IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6078 OF 2004

Shri Balbhim Sahakari Doodh
Vyavasaik Sanstha Ltd, .. Petitioner
Vs
Proposed Shri Brahmaling Sahakari
Doodh Vyavasaik Sanstha Ltd and ors Respondents
Mr P.D.Dalvi, for the petitioner.
Mr G.N.Salunke, for respondent no.1.
AGP for the respondents-State.

CORAM : D.B.BHOSALE, J.

DATE : FEBRUARY 24, 2005.

P.C.

1. Heard the learned counsel for the parties.

2. Mr. Salunke, learned counsel for respondent no.1, submits that respondent no.1 society has already been registered by the Assistant Registrar, Co-operative Societies on 22.7.2004, i.e. before this Court passed an order of status-quo on 2.8.2004 and, therefore, the only remedy open to the petitioner is to challenge the registration of the society. Having confronted with this, Mr Dalvi, learned counsel for the petitioner, submits that the petitioner may be given liberty to challenge the registration keeping all the contentions open for them to agitate before appropriate forum. In view of

the submissions made by the learned counsel for the parties, the writ petition is disposed of by the following order.

(i) Liberty to the petitioner to challenge registration of respondent no.1-society within four weeks from today. The appellate authority to entertain the appeal without entering into an issue of limitation and decide the same on merits in accordance with law as expeditiously as possible and in any event within a period of three months from the date of its filing. All contentions are left open.

(ii) The writ petition is, accordingly, disposed of.
(ii) All contentions in the writ petition are left open.

(D.B.Bhosale, J.)